



# MINUTES

## OCONEE COUNTY COUNCIL

### Regular Meeting

### April 21, 2020

#### MEMBERS, OCONEE COUNTY COUNCIL

Mr. John Elliott, Chair Pro Tem, District I

Mr. Paul Cain, Vice Chair, District III

Mr. Julian Davis III, Chairman, District IV

Mr. Glenn Hart, District V

Mr. Wayne McCall, District II

Oconee County Council met at 6:00 PM in Council Chambers, 415 South Pine Street, Walhalla, SC with all Council Members, County Administrator Amanda F. Brock, County Attorney David Root, & Katie D. Smith, Clerk to Council present.

**Press:** Pursuant to the Freedom of Information Act, notice of the meeting, date, time, place of meeting and agenda were posted on the bulletin board at the County Administrative Offices, 415 South Pine Street, Walhalla, SC, and the County Council website [[www.oconeesc.com/council](http://www.oconeesc.com/council)]. In addition, it was made available [*upon request*] to the newspapers, radio stations, television stations and concerned citizens.

Members of the press present: None at this meeting.

#### **Call to Order:**

Mr. Davis called the meeting to order at 6:00 p.m.

#### **Public Comment Session**

*There will be no live general public comment period. If you have a comment you would like to submit, please contact our Clerk to Council, Katie Smith at [ksmith@oconeesc.com](mailto:ksmith@oconeesc.com) or 864-718-1023, so that she may receive your comment and read it into the record. [No citizen contacted the Clerk to Council to provide a written comment for the Public Comment Session.]*

None at this meeting.

#### **County Council Response to Public Comment**

Mr. Cain spoke of the tornado that destroyed a large swath of homes and businesses in the Seneca area, including the Utica area, that occurred on April 13, 2020 and into the morning of April 14, 2020. Mr. Cain thanked the volunteers that have helped with the recovery efforts following the tornado. He also thanked the Oconee County staff, Ms. Brock and her leadership and working with the city and all of the municipalities. He further stated we will be a stronger Oconee County because of this disaster.

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Mr. Hart echoed Mr. Cain's comments noting there were people that came in from other towns that helped with the recovery efforts.

Mr. Davis noted he appreciated the leadership and amount of training that goes in for our fire, police, and Oconee Emergency Services. He noted it was unbelievable what was accomplished in such a short amount of time. He further noted there are no boundaries with the churches, pastors, Oconee County, and the cities working together.

### **Moment of Silence**

Mr. Davis asked for a moment of silence prior to the Invocation by the County Chaplain and asked to remember the victim of the tornado, Mr. Jack F. Harvill from Walhalla.

### **Invocation by County Council Chaplain:**

Mr. Root, County Council Chaplain, gave the invocation.

### **Pledge of Allegiance:**

Mr. McCall led the Pledge of Allegiance to the Flag of the United States of America.

### **Approval of Minutes**

Mr. Hart made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve the March 17, 2020 Regular Minutes as presented.

Mr. Hart made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve the April 15, 2020 Emergency Meeting Minutes as presented.

### **Administrator's Comments**

Ms. Brock updated Council regarding the following:

- Other counties and agencies came to assist Oconee County after the tornado, including Berkeley County Emergency Preparedness Planning Office and Clemson University Disaster Preparedness
- Worked closely with BorgWarner and their efforts to clean off their site

### **Attorney's Comments**

Mr. Root briefly updated Council regarding the following:

- Removed Public Hearing and there will be no third reading for Ordinance 2020-06; there has been no change or no new documents and waiting on movement between the company and a third party and then the County will be able to respond and bring back to Council
- Moving forward with Public Hearing 2020-08; documents are not finalized and is an executive session item
- Need a motion to amend the agenda to add "Discuss and authorize the County Attorney to draft and the County Administrator to execute a mutual aid agreement with the City of Seneca in order to facilitate the tornado damage response from the tornado event of April 13, 2020 and also to facilitate the FEMA reimbursement matters" under Discussion regarding Action Items.

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Mr. Davis made a motion, seconded by Mr. Cain, to amend the agenda to add “Discuss and authorize the County Attorney to draft and the County Administrator to execute a mutual aid agreement with the City of Seneca in order to facilitate the tornado damage response from the tornado event of April 13, 2020 and also to facilitate the FEMA reimbursement matters” under Discussion regarding Action Items.

Mr. Root noted there has to be an emergency or exigent circumstance, with emergency being that FEMA is coming in place and need to do this in a timely manner. He noted the work is ongoing and need to get this agreement in place ASAP.

Regarding the previous motion made by Mr. Davis, seconded by Mr. Cain, it was approved 5 – 0, to approve to amend the agenda to add “Discuss and authorize the County Attorney to draft and the County Administrator to execute a mutual aid agreement with the City of Seneca in order to facilitate the tornado damage response from the tornado event of April 13, 2020 and also to facilitate the FEMA reimbursement matters” under Discussion regarding Action Items.

### **Public Hearings for the Following Ordinances**

*If you would like to be heard during either of the public hearings, please contact Katie Smith at [ksmith@oconeesc.com](mailto:ksmith@oconeesc.com) or 864-718-1023 so that she may coordinate your participation by telephone.*

No citizen contacted the Clerk to Council to provide a written comment for the Public Hearing Session.

~~**Ordinance 2020-06** — “AN ORDINANCE AUTHORIZING: (1) THE EXECUTION AND DELIVERY OF A FEE AGREEMENT BY AND BETWEEN OCONEE COUNTY, SOUTH CAROLINA AND PROJECT AZTEC, PROVIDING FOR A PAYMENT OF A FEE IN LIEU OF TAXES; (2) THE ISSUANCE OF SPECIAL SOURCE REVENUE CREDITS; (3) THE ISSUANCE AND DELIVERY OF A MULTI COUNTY INDUSTRIAL PARK AGREEMENT WITH PICKENS COUNTY; (4) THE CONVEYANCE OF CERTAIN REAL PROPERTY; AND OTHER MATTERS RELATED THERETO.”~~

Mr. Davis offered clarification as to the removal of the Public Hearing for Ordinance 2020-06 from the agenda noting the public hearing has been held as required but will have an additional public hearing when 3<sup>rd</sup> reading is brought forth.

**Ordinance 2020-08** “AN ORDINANCE AUTHORIZING: (1) THE EXECUTION AND DELIVERY OF A DEVELOPMENT AND INFRASTRUCTURE CREDIT AGREEMENT TO PROVIDE FOR INFRASTRUCTURE CREDITS TO PROJECT TROUT; (2) THE ISSUANCE AND DELIVERY OF A MULTI-COUNTY INDUSTRIAL PARK AGREEMENT WITH PICKENS COUNTY; AND OTHER RELATED MATTERS.”

Mr. Davis opened the floor for Public Comment.

Mr. Davis noted that no citizens called or sent an email to the Clerk to Council to sign up to address Council regarding **Ordinance 2020-08**.

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Mr. Davis closed the Public Hearing regarding **Ordinance 2020-08**.

Mr. Davis noted there will be an additional public hearing when 3<sup>rd</sup> reading is brought forth at the May 5, 2020 County Council meeting. He further noted citizens can email [ksmith@oconesc.com](mailto:ksmith@oconesc.com) or call 864-718-1023 and submit their comments to be read into the record.

### **Third Reading of the Following Ordinances**

None at this meeting.

### **Second Reading of the Following Ordinances**

**Ordinance 2020-11** “AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION BONDS, IN ONE OR MORE SERIES, TAX-EXEMPT OR TAXABLE, IN AN AMOUNT NOT TO EXCEED \$8,000,000 FOR THE PURPOSE OF REFUNDING ALL OR A PORTION OF THE COUNTY’S OUTSTANDING SERIES 2011 GENERAL OBLIGATION BONDS AND ACQUIRING, CONSTRUCTING, EQUIPPING, OR REHABILITATING VARIOUS CAPITAL PROJECTS, INCLUDING A FIRE ENGINE AND RELATED EQUIPMENT; AUTHORIZING THE COUNTY ADMINISTRATOR TO PRESCRIBE THE FORM AND DETAILS OF THE BONDS; PROVIDING FOR THE PAYMENT OF THE BONDS AND THE DISPOSITION OF THE PROCEEDS OF THE BONDS; PROVIDING FOR BORROWING IN ANTICIPATION OF THE ISSUANCE OF THE BONDS; AND OTHER RELATED MATTERS.”

Mr. Hart made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve **Ordinance 2020-11** on second reading.

### **First Reading for the Following Ordinances**

**Ordinance 2020-12** “AN ORDINANCE AUTHORIZING THE EXECUTION AND DELIVERY OF A GOVERNMENTAL REAL ESTATE LEASE AGREEMENT BETWEEN OCONEE COUNTY AS LESSOR AND CLEMSON UNIVERSITY AS LESSEE FOR CERTAIN REAL PROPERTY, INCLUDING CERTAIN IMPROVEMENTS THEREON, LOCATED AT 200 BOOKER DRIVE, WALHALLA, SOUTH CAROLINA; AND OTHER MATTERS RELATED THERETO.”

Mr. McCall made a motion, seconded by Mr. Hart, approved 5 – 0, to approve **Ordinance 2020-12** on first reading.

### **First & Final Reading of the Following Resolutions**

**Resolution 2020-04** “A RESOLUTION DESIGNATING APRIL 2020 AS FAIR HOUSING MONTH.

Mr. Hart made a motion, seconded by Mr. Cain, approved 5 – 0, to approve **Resolution 2020-04** on first & final reading.

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## **Discussion Regarding Action Items**

### **Request Council consideration and approval for funding to Foothills Alliance in an amount of \$25,000**

Foothills Alliance is a Nonprofit Agency that encompasses three programs: Sexual Trauma Center, Child Advocacy Center, and Prevent Child Abuse. The mission of Foothills Alliance is working in collaboration with community partners to prevent sexual assault trauma and child abuse and neglect by providing education, advocacy, and treatment services in Anderson and Oconee Counties.

It is the staff's recommendation that Council approve this request for \$25,000 from the Oconee Support Line.

Mr. Hart made a motion, seconded by Mr. Elliott, approved 5 – 0, to approve funding to Foothills Alliance in an amount of \$25,000 from the Oconee Support Line.

### **Council approval to adopt the 2020 Strategic Planning Retreat report**

Mr. Cain made a motion, seconded by Mr. Hart, approved 5 – 0, to approve the 2020 Strategic Planning Retreat report.

### **Discuss and authorize the County Administrator to request a formal extension of time from the South Carolina Department of Revenue in relation to delinquent tax collection procedures. The requested extension will delay the initiation of such proceedings from “On April first or as soon after that as practicable,” S.C. Code § 12-51-40(a), to June first or as soon after that as practicable, consistent with S.C. Code § 12-2-60, which provides for such extensions, and in light of the current COVID-19 pandemic.**

Mr. Elliott made a motion, seconded by Mr. Hart, approved 5 – 0, to approve the County Administrator to request a formal extension of time from the South Carolina Department of Revenue in relation to delinquent tax collection procedures. The requested extension will delay the initiation of such proceedings from “On April first or as soon after that as practicable,” S.C. Code § 12-51-40(a), to June first or as soon after that as practicable, consistent with S.C. Code § 12-2-60, which provides for such extensions, and in light of the current COVID-19 pandemic.

### **Discuss modification of construction permit and inspection fees related buildings damaged by tornado event of 4.13.2020**

Ms. Brock noted in light of the tragedy that our residents and citizens have faced, she asked Council to suspend the permit fees that are associated with reconstruction and/or demolition, permitting that the County would require and not to put further financial burden on the victims of the tornado based on the information received from the three data programs. She noted there are addresses, pictures, and evidence of each and

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every house or partial that was damaged and would like to waive the fees so that the citizens can get back on their feet without this financial impact being a burden upon them.

Mr. Davis noted this must be a lot with an existing structure, residents or businesses, and cannot be a vacant lot that someone owns that is building a new home.

Mr. Davis made a motion, seconded by Mr. Cain, approved 5 – 0, to approve to waive the construction permit and inspection fees related buildings damaged by tornado event of 4.13.2020.

**Discuss and authorize the County Attorney to draft and the County Administrator to execute a mutual aid agreement with the City of Seneca in order to facilitate the tornado damage response from the tornado event of April 13, 2020 and also to facilitate the FEMA reimbursement matters**

Mr. Hart made a motion, seconded by Mr. Cain, approved 5 – 0, to approve to authorize the County Attorney to draft and the County Administrator to execute a mutual aid agreement with the City of Seneca in order to facilitate the tornado damage response from the tornado event of April 13, 2020 and also to facilitate the FEMA reimbursement matters.

**Board & Commission Appointments**

**Building Codes Appeal Board**

No questionnaires were submitted for the 1 At Large seat.

**Board of Zoning Appeals**

No questionnaires were submitted for the District 5 seat.

**Council Committee Reports**

Mr. Cain read from a prepared statement [copy filed with these minutes] outlining the discussions held at the March 3, 2020 Planning & Economic Development Committee.

**Unfinished Business**

None at this meeting.

**New Business**

None at this meeting.

**Executive Session:**

Mr. Hart made a motion, seconded by Mr. Cain, approved 5 – 0, to enter into Executive Session for the following purposes, as allowed for in § 30-4-70(a) of the South Carolina Code of Laws:

*[1] Discussion regarding an Economic Development matter, Project Trout.*

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*[2] Receive legal advice and discuss personnel matters in relation to the Oconee County Emergency Services department.*

Council entered Executive Session at 6:25 p.m.

Council returned from Executive Session at 7:51 p.m. on a motion made by Mr. Hart, seconded by Mr. Cain, approved 5 – 0.

Mr. Davis stated that no action was taken in Executive Session.

Mr. Root asked for a motion to [1] direct staff to respond to the complaints related to emergency services as discussed and [2] direct staff to coordinate with all Boards/Commissions such that they meet in Council Chambers going forward.

Mr. Cain made a motion, seconded by Mr. Hart, approved 5 – 0, to approve [1] direct staff to respond to the complaints related to emergency services as discussed and [2] direct staff to coordinate with all Boards/Commissions such that they meet in Council Chambers going forward.

**Adjourn:**

Mr. Hart made a motion, approved unanimously, to adjourn at 7:52 p.m.

Respectfully Submitted:

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Katie D. Smith  
Clerk to Council

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